

811 KAR 1:130. Security.

RELATES TO: KRS 230.215, 230.260(1)

STATUTORY AUTHORITY: KRS 230.215(2), 230.260(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) and 230.260(3) authorize the Authority to promulgate administrative regulations prescribing the conditions under which horse racing shall be conducted in Kentucky. This administrative regulation establishes requirements for persons permitted on licensed premises.

Section 1. Persons Permitted on Licensed Premises. (1) A licensee of the Authority shall immediately report to association security personnel the presence of any person not authorized by this administrative regulation to be on all or any portion of association grounds.

(2) A licensee shall take all necessary measures that are not prohibited by law to maintain the security of horses on association grounds and to protect horses from injury due to mistreatment, fright, or tampering.

(3) Persons not employed by, or not the invited guests of, the racing association or the owner or trainer of a horse scheduled to run that day shall be excluded from the paddock area, race strip, and appurtenant portions of the track, with the following exceptions;

- (a) Members, officers, and employees of the Authority;
- (b) Racing officials;
- (c) Police officers;
- (d) Officials and directors of the United States Trotting Association;
- (e) Officials and directors of Standardbred Canada; and
- (f) Duly-accredited members of the news media.

Section 2. Admission to Premises. A current badge or button issued by the Authority, or a current badge or button issued by the Association of Racing Commissioners International, shall be honored for admission to any location on association grounds operating under the jurisdiction of the Authority.

Section 3. Limited Admission. (1) not possessing and displaying a properly-issued badge or identification card shall not be permitted to enter any part of the licensed premises except the clubhouse, grandstand, or other areas open to patrons or the general public, with the following exceptions:

- (a) Members, officers, and employees of the Authority;
- (b) Racing officials;
- (c) Police officers;
- (d) Persons permitted into the paddock area, race strip, and appurtenant portions of the track under Section 1(3) of this administrative regulation; and
- (e) Persons permitted into the stable area under Section 3(2) of this administrative regulation.

(2) Only the following persons performing official duties within the stable area shall be entitled to enter the stable area of a licensee:

- (a) Members, officers, and employees of the Authority;
- (b) Members and employees of the association;
- (c) Racing officials;
- (d) Police officers;
- (e) Owners;
- (f) Trainers;

- (g) Grooms; and
- (h) Others who are performing official duties within the stable area.

Section 4. Identification Cards and Badges. (1) Cards and badges.

(a) A licensee shall issue identification cards or badges only to:

- 1. The licensee's officers, employees, guards, and watchmen;
- 2. Drivers; and
- 3. Owners and trainers and their employees, assistants, grooms, and attendants.

(b) A licensee shall have the right to recall identification cards or badges upon reasonable cause to believe a violation of the law has occurred or as reasonably necessary to maintain effective security procedures.

(c) Identification cards or badges shall be collected from owners and trainers and their employees, assistants, grooms, and attendants when the horses of the owners or trainers are removed from the licensed premises.

(d) An identification card or badge shall not be transferable.

(e) An identification card or badge shall be subject to forfeiture if utilized or attempted to be utilized by a person other than the person to whom it was issued.

(f) The Authority shall specifically identify by color designation, each association under its control. The licensee shall only authorize admittance to the association upon the showing of a properly color-coded identification card or badge. An identification card or badge shall be subject to forfeiture if the holder utilizes the card or badge to attempt to gain entry or access to an association other than the one for which the card or badge applies.

(g) Any identification card or badge may be declared forfeit by the executive director of the Authority, the designated representative of the Authority, or the presiding judge upon reasonable cause to believe a violation of the law has occurred, or as reasonably necessary to maintain effective security procedures.

(2) Enforcement. The director of security designated by the Authority shall have the primary responsibility of enforcing this administrative regulation.

Section 5. Association with Undesirables Prohibited. (1)(a) An owner, driver, trainer, groom, attendant, or other person having charge of or access to a harness race horse shall not associate with, consort with, or in any manner communicate with a known gambler, bookmaker, tout, or persons of similar pursuits either on or off association grounds.

(b) An owner, driver, trainer, groom, attendant, or other person having charge of or access to a harness race horse shall be presumed to have knowledge of the reputation or notoriety of persons with whom he or she has communications regarding horse racing.

(2) A person under the jurisdiction or control of the Authority shall have a duty to immediately report knowledge of any of the following activities to the Authority or one (1) of its appointed representatives:

- (a) Offer or promise of a bribe;
- (b) Request or suggestion for a bribe;
- (c) Offer, promise, request, or suggestion of any other improper, corrupt, or fraudulent act or practice that could affect the outcome of a race; or
- (d) Request or suggestion that any race be conducted otherwise than fairly and in accordance with the law.

Section 6. Tack Inspection. (1) For the purpose of maintaining the safety and security of the association grounds, the Authority or its designated representative shall have the right to permit an authorized person to inspect or examine the personal effects or property of every

trainer, driver, stable foreman, groom, authorized agent, and veterinarian, by entering in or upon:

(a) The stable, rooms, or other places within the track enclosure where a race meeting is held; or

(b) Other tracks or places where horses eligible to race at a race meeting are kept.

Section 7. Penalties. (1) A person or association that violates a provision of this administrative regulation, other than Section 5, shall have committed a Category 1 violation and shall be subject to the penalties set forth in 811 KAR 1:095, Section 4(1).

(2) A person or association that violates a provision of Section 5 of this administrative regulation shall have committed a Category 3 violation and shall be subject to the penalties set forth in 811 KAR 1:095, Section 4(3).

(3) A person who violates any provision of this administrative regulation shall be subject to eviction from the premises licensed by the Authority and thereafter denied admission as a patron or participant at facilities licensed by the Authority. (KTC-Rg-4, 1-8 (Rule 29); 1 Ky.R. 1121; eff. 6-11-75; Am. 8 Ky.R. 1060; eff. 5-5-82; 33 Ky.R. 974; 2966; eff. 4-6-07.)